

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

CHARLES A. POMPOS,

Case No. 3:13-cv-208

Plaintiff,

-v-

**Judge Thomas M. Rose
Chief Magistrate Judge Sharon L. Ovington**

**COMMUNITY HEALTH CENTERS
OF GREATER CINCINNATI, et al.,**

Defendants.

ENTRY AND ORDER OVERRULING POMPOS' OBJECTIONS (Doc. #17) TO THE CHIEF MAGISTRATE JUDGE'S REPORT AND RECOMMENDATIONS; ADOPTING THE CHIEF MAGISTRATE JUDGE'S REPORT AND RECOMMENDATIONS (Doc. #15) IN ITS ENTIRETY; DENYING POMPOS' MOTION FOR DEFAULT JUDGMENT (Doc. #5) AS MOOT; DENYING POMPOS' MOTION TO RETURN CASE TO MONTGOMERY COUNTY COURT OF COMMON PLEAS (Doc. #6); GRANTING DEFENDANTS' MOTION TO DISMISS (Doc. #10); AND TERMINATING THIS CASE

Pro Se Plaintiff Charles A. Pompos ("Pompos") brought this action against Defendants Community Health Centers of Greater Dayton, Corwin Nixon Health Center and D.O. Suzann K Franer (hereinafter "the Defendants") alleging what appears to be medical malpractice. Pompos' Complaint was originally filed in the Court of Common Pleas of Montgomery County, Ohio, and was subsequently removed to this Court by the Defendants. (Doc. #1.) Pompos then filed a Motion for Default Judgement (doc. #5) and a Motion To Return Case To the Montgomery County Common Pleas Court (doc. #6). The Defendants filed a Motion To Dismiss. (Doc. #10.)

On October 2, 2013, Chief Magistrate Judge Sharon L. Ovington issued a Report and Recommendations recommending that Pompos' Motion for Default Judgment and his Motion To Return Case To the Montgomery County Common Pleas Court be denied and that the

Defendants' Motion To Dismiss be granted. Pompos subsequently objected to this Report and Recommendations. (Doc. #17.) The time has run and the Defendants have not responded to Pompos' Objections. This matter is, therefore, ripe for decision.

As required by 28 U.S.C. §636(b) and Federal Rules of Civil Procedure Rule 72(b), the District Judge has made a de novo review of the record in this case. Upon said review, the Court finds that Pompos' Objections to the Chief Magistrate Judge's Report and Recommendations are not well-taken, and they are hereby OVERRULED. The Chief Magistrate Judge's Report and Recommendations is adopted in its entirety.

Pompos' Motion for Default Judgment is denied as being moot. Pompos' Motion To Return Case To the Montgomery County Common Pleas Court is denied. Defendants' Motion To Dismiss is granted. Finally, the captioned cause is hereby ordered terminated upon the docket records of the United States District Court for the Southern District of Ohio, Western Division, at Dayton.

DONE and **ORDERED** in Dayton, Ohio, this Eighth Day of November, 2013.

s/Thomas M. Rose

THOMAS M. ROSE
UNITED STATES DISTRICT JUDGE

Copies furnished to:

Counsel of Record
Charles A. Pompos at his last address of record